

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 25 1967

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 24 1967

The applicant Ruby Hill Mining Company, a Nevada Corporation, with its principal place of business at Eureka, County of Eureka

State of Nevada, hereby makes application for permission to change the manner of use and place of use of 14.3 second feet of water heretofore appropriated under Permit No. 19400

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground (Fad Shaft)
(Name of stream, lake or other source.)
2. The amount of water to be changed 14.3 second feet
(Second feet, acre feet.)
3. The water to be used for milling, mining and domestic purposes
(If for stock state number and kind of animals.)
4. The water heretofore used for irrigation and domestic uses
(If for stock state number and kind of animals.)
5. The water is to be diverted at the following point S34°16'W 1962.3 ft. from the section corner common to Sections 14, 15, 22, 23, T. 19 N., R. 53 E. M.D. Mer., said point being situate in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 22 and being at the collar of the Fad Shaft
6. The existing point of diversion is located within (same as No. 5)

(If point of diversion is not changed, do not answer.)

7. Proposed place of use NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, T. 19 N., R. 53 E., M.D. Mer., See area designated "Place of Use" on attached map.
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

8. Existing place of use Sec. 3, Lots 3 and 4, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, Lots 1 and 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$; Section 10, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 11, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$; All in T. 19 N., R. 53 E., M.D. Mer. See area designated as "Place of Use under Permit No. 19400" on attached map.
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)

9. Use will be from January 1 to December 31 of each year.
(Month) (Month)
10. Use has been from January 1 to December 31 of each year.
(Month) (Month)

11. Description of proposed works.

The water will be pumped from the Fad Shaft and piped to the
(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)
place of use.
(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works in excess of \$100,000.

13. Estimated time required to construct works within one year.

The water will be used for milling a complex ore in a mill to be constructed on applicant's property, for use in mine and mill shops, offices, change houses and staff houses, for make up water in the cooling systems of diesel engines and air compressors; for boiler feed water in a steam plant; for drill water, surface and underground; for fire protection; for domestic and culinary uses in the above described installations. (See attached map and map attached to Permit No. 19401.)

Compared hs/jw hs/jw Applicant Ruby Hill Mining Company
By s/ Benton Boyd
Benton Boyd, Agent

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the place and manner of use of the waters from an underground (Mine Shaft) source as heretofore granted under Permit 19400 is issued subject to the terms and conditions imposed in said Permit 19400 and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and maintained at or near the source to facilitate the measurement and control of the water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 14.3 cubic feet per second, but not to exceed 3,400.0 acre-feet annually.

Actual construction work shall begin on or before May 28, 1968

Proof of commencement of work shall be filed before June 28, 1968

Work must be prosecuted with reasonable diligence and be completed on or before May 28, 1969

Proof of completion of work shall be filed before June 28, 1969

Application of water to beneficial use shall be made on or before May 28, 1972

Proof of the application of water to beneficial use shall be filed on or before June 28, 1972

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed June 7, 1968 IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD

Completion of work filed June 6, 1969 State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed my office, this 28th day of November

Cultural map filed

Certificate No. Issued A.D. 1967

Recorded Bk. Page

2407

AUG 4 1975

CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

ROLAND D. WESTERGARD
STATE ENGINEER

5k